

REMARKS

Regarding the Office Action

In the Office Action, the Examiner took the following actions:

- (a) objected to the drawings, the specification, and the claims due to informalities;
- (b) rejected claim 64 under 35 U.S.C. § 101 as being directed to non-statutory subject matter;
- (c) rejected claim 64 under 35 U.S.C. § 112, second paragraph;
- (d) rejected claims 33-37, 41, 42, 48-52, 56, 57, and 63 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent App. Pub. No. 2004/0066756 A1 to Ahmavaara et al. ("Ahmavaara");
- (e) rejected claims 38 and 53 under 35 U.S.C. § 103(a) as being unpatentable over Ahmavaara in view of U.S. Patent No. 6,421,339 B1 to Thomas ("Thomas");
- (f) rejected claims 39 and 54 under 35 U.S.C. § 103(a) as being unpatentable over Ahmavaara;
- (g) rejected claims 40 and 55 under 35 U.S.C. § 103(a) as being unpatentable over Ahmavaara in view of U.S. Patent No. 6,728,536 B1 to Basilier et al. ("Basilier");
- (h) rejected claims 43-47 and 58-62 under 35 U.S.C. § 103(a) as being unpatentable over Ahmavaara in view of technical standard Diameter Base Protocol ("Technical Standard"); and
- (i) rejected claim 64 under 35 U.S.C. § 103(a) as being unpatentable over Ahmavaara in view of Thomas in view of Basilier and in further view of Technical Standard.

Applicants have amended claims 33, 36-42, 48, 51-60, 63, and 64 to more appropriately define the claimed invention, and cancelled claims 34, 35, 46, 47, 49, 50, 61 and 62, without prejudice or disclaimer of their subject matter. Upon entry of this Amendment, claims 33, 36-45, 48, 51-60, 63, and 64 remain pending and under examination. Applicants have also amended the specification as shown above, for the reasons discussed further below. No new matter has been added.

Applicants respectfully traverse the objections and rejections, though respond as follows in order to advance prosecution.

Objections to the Drawings:

The Examiner objected to Fig. 1 for not being labeled as "Prior Art." See Office Action, p. 2. In response, Applicants submit a replacement sheet for Fig. 1, wherein Fig. 1 is labeled as "Prior Art."

The Examiner objected to Fig. 4 because reference characters are not included in the specification. See Office Action, p. 2. In response, Applicants have amended the specification to move the description at p. 6, l. 13 through p. 8, l. 2 to begin at p. 12, l. 9. This places the description of Fig. 4 immediately after the description of Fig. 3, and immediately before the description of Fig. 5. This portion of the specification describes Fig. 4, and thus, by this amendment, Applicants submit that the reference characters for Fig. 4 are included in the specification to identify the steps shown in Fig. 4.

The Examiner objected to Fig. 7 because reference characters are not included in the specification. See *Id.* In response, Applicants have amended the specification to identify the steps shown in Fig. 7, and already described in the specification at pp. 18-19.

Moreover, the Examiner alleged that the terms HauS A, HauS B, VauS A, and VauS B are in Fig. 4, but not mentioned in the specification. See *Id.* It appears, however, that the Examiner may be instead referring to Figs. 5 and 6, which do contain the terms HauS A and HauS B, and VauS A and VauS B, respectively. Accordingly, Applicants submit replacement sheets for Fig. 5 and Fig. 6, wherein Fig. 5 is amended so that HauS A and HauS B are replaced with HSP A and HSP B, respectively, and Fig.

6 is amended so that VauS A and VauS B are replaced with HSP A and HSP B, respectively.

Accordingly, Applicants deem the objections to the drawings overcome, and respectfully request their withdrawal.

Objections to the Disclosure:

The Examiner made multiple objections to the disclosure for informalities, individually identifying eleven separate pages in the disclosure. See Office Action, pp. 3-4. In response, Applicants have amended the disclosure as indicated herein to both address the Examiner's objections and to correct typographical errors. Accordingly, Applicants deem the Examiner's objections to the disclosure overcome, and respectfully request their withdrawal.

Objections to the Claims:

The Examiner made multiple objections to the claims for informalities, individually identifying seven separate claims. See Office Action, p. 4. In response, Applicants have amended the claims as indicated herein to both address the Examiner's objections and to correct typographical errors. Accordingly, Applicants deem the Examiner's objections to the claims overcome, and respectfully request their withdrawal

Regarding the 35 U.S.C. § 101 Rejection of Claim 64:

Applicants respectfully traverse the rejection of claim 64 under 35 U.S.C. § 101 as allegedly being "directed to non-statutory subject matter." Office Action, p. 5. However, to advance prosecution and without concession to the Examiner's allegation, though consistent with the Examiner's suggested amendment, Applicants have amended claim 64, to recite a "computer program product loadable into a memory of at least one computer and being encoded on a computer readable medium . . ."

Applicants therefore deem this rejection overcome and respectfully requests its withdrawal.

Regarding the 35 U.S.C. § 112 Rejection of Claim 64:

Applicants respectfully traverse the rejection of claim 64 under 35 U.S.C. § 112, second paragraph. See Office Action, p. 5. Applicants submit that claim 64, as amended, is a proper claim and contains sufficient antecedent basis for its elements. See M.P.E.P. § 2113. Accordingly, Applicants respectfully request the withdrawal of the 35 U.S.C. § 112, second paragraph, rejection.

Regarding the 35 U.S.C. § 102(e) Rejection of Claims 33-37, 41, 42, 48-52, 56, 57, and 63:

Applicants respectfully request reconsideration and withdrawal of the rejection of claims 33-37, 41, 42, 48-52, 56, 57, and 63 under 35 U.S.C. § 102(e) as being anticipated by Ahmavaara. The rejection of claims 34, 35, 49, and 50 has been rendered moot by the cancellation of these claims, without prejudice or disclaimer of their subject matter.

In order to establish anticipation under 35 U.S.C. § 102, the Examiner must show that each and every element as set forth in the claim is found, either expressly or inherently described, in Ahmavaara. See M.P.E.P. § 2131.

Ahmavaara, however, does not disclose each and every element of Applicants' claimed invention. Specifically, Ahmavaara does not disclose at least Applicants' claimed "receiving from said at least one user, user credentials at said access network; [and] forwarding said user credentials to an authentication function at said access network," as recited in amended independent claim 33 (emphasis added).

Instead, Ahmavaara discloses that "[w]hen the RADIUS Access Request reaches the RADIUS server identified by the [selectedbackbonenetworkSSID].[WLAN.ORG] realm, the RADIUS server strips away the inserted part and performs the authentication of the user based on the remaining NAI." Ahmavaara, paragraph [0089], ll. 1-5. Thus, according to Ahmavaara, the RADIUS server is identified by selectedbackbonenetworkSSID, and therefore is not located at the access network.

Since Ahmavaara fails to disclose at least Applicants' claimed "receiving from said at least one user, user credentials at said access network; [and] forwarding said user credentials to an authentication function at said access network," as recited in amended independent claim 33, Ahmavaara does not anticipate Applicants' claim 33. Independent claim 33 should therefore be allowable. Amended independent claim 48, although of differing scope, recites elements similar to those of independent claim 33, and should therefore be allowable for at least the same reasons.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection under 35 U.S.C. § 102(e), and request allowance of independent claims 33 and 48, as well as their respective dependent claims 36, 37, 41, 42, 51, 52, 56, 57, and 63.

Regarding the Remaining 35 U.S.C. § 103(a) Rejections of Claims 38-40, 43-47, 53-55, 58-62, and 64:

Applicants request reconsideration and withdrawal of the remaining rejections of claims 38-40, 43-47, 53-55, 58-62, and 64 under 35 U.S.C. § 103(a) as being unpatentable over Ahmavaara, or as being unpatentable over Ahmavaara in view of one or more of Thomas, Basilier, and Technical Standard. The rejection of claims 46, 47,

61, and 62 has been rendered moot by the cancellation of these claims, without prejudice or disclaimer of their subject matter.

The Examiner has not properly resolved the *Graham* factual inquiries, the proper resolution of which is the requirement for establishing a framework for an objective obviousness analysis. See M.P.E.P. § 2141(II), citing to *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), as reiterated by the U.S. Supreme Court in *KSR International Co. v. Teleflex Inc.*, 550 U.S. ___, 82 USPQ2d 1385 (2007).

As discussed in the previous section, Ahmavaara fails to disclose each and every element of Applicants' independent claims 33 and 48. Thus, the Examiner has not properly determined the scope and content of the prior art, and has not properly ascertained the differences between the claimed invention and the prior art, at least because he has not interpreted the prior art and considered both the invention and the prior art as a whole. See M.P.E.P. § 2141(II)(B).

The additional cited references, Thomas, Basilier, and Technical Standard, taken alone or in combination with Ahmavaara, or Ahmavaara taken by itself, also fail to disclose or suggest at least Applicants' claimed "receiving from said at least one user, user credentials at said access network; [and] forwarding said user credentials to an authentication function at said access network," as recited in amended independent claim 33, with a similar recitation in amended independent claim 48. These additional references thus fail to cure the deficiencies of Ahmavaara previously discussed. Thus, the Examiner has neither properly determined the scope and content of the prior art nor properly ascertained the differences between the prior art and the claimed invention.

For at least the above reasons, Applicants' dependent claims 38-40, 43-45, 53-55, 58-60, and 64 are nonobvious and should therefore be allowable. Accordingly,

Applicants respectfully request the Examiner reconsider and withdraw the remaining 35 U.S.C. § 103(a) rejections of claims 38-40, 43-45, 53-55, 58-60, and 64.

Conclusion:

Applicants request reconsideration of the application and withdrawal of the objections and claim rejections. Pending claims 33, 36-45, 48, 51-60, 63, and 64 are in condition for allowance, and Applicants request a favorable action.

If there are any remaining issues or misunderstandings, Applicants request the Examiner telephone the undersigned representative to discuss them.

The Office Action contains statements characterizing the related art and the claims. Regardless of whether any such statements are specifically identified herein, Applicants decline to automatically subscribe to any statements in the Office Action.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account 06-0916.

Respectfully submitted,

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